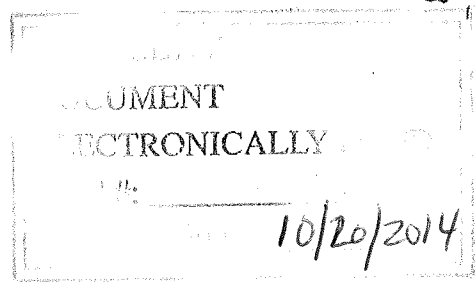


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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13 Md. 2476 (DLC)

**PROPOSED STIPULATED ORDER REGARDING
FOREIGN DOCUMENTS AND WITNESSES**

Pursuant to Section III of the Joint Initial Report entered by the Court on September 18, 2014 (Docket No. 334), counsel for the parties have met and conferred and agreed upon the following matters regarding foreign discovery in the above-captioned action (the "Action").

I. FOREIGN DOCUMENTS AND WITNESSES

- A. For purposes of this Action, each party's litigation counsel will accept service of discovery requests on its behalf for documents or information located outside the United States if such documents or information are in the possession, custody, or control of the party, without requiring additional or different procedures to be followed pursuant to the Hague Evidence Convention, the Hague Service Convention, or any other applicable convention, treaty, law, or rule. The party served with any such discovery request retains the right to object to the request on any appropriate ground other than improper service.
- B. Each party agrees to negotiate in good faith to establish a protocol for identifying the documents and information described in paragraph I(A) above that can be produced in this Action consistent with any applicable foreign laws or

regulations concerning privacy or confidentiality or otherwise affecting their production in the United States, or any convention such as the Hague Evidence Convention, including reasonable steps to facilitate production, including but not necessarily limited to obtaining consents to disclosure from a limited number of custodians in senior management involved in relevant issues, and by meeting and conferring with other parties to narrow the scope of the documents and information requested for production. If a party believes in good faith that, notwithstanding the process described in this paragraph, such documents or information cannot be produced in the United States without violating an applicable foreign law or regulation, it must promptly notify the other parties and meet and confer to attempt to reach a resolution of the issue.

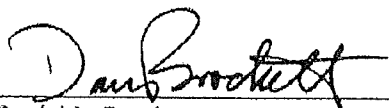
- C. For purposes of this Action, if a party believes that it can accept service on behalf of a witness residing outside the United States and produce that witness for deposition in the Action without violating an applicable foreign law or regulation, then its litigation counsel in the Action will accept service of a deposition notice on its behalf for any such witness who is a managing agent of a party, the party's subsidiary, or an affiliate of the party which the party controls or for which the party is authorized to accept service, without requiring additional or different procedures to be followed pursuant to the Hague Evidence Convention, the Hague Service Convention, or any other applicable convention, treaty, law, or rule. The party served with any such deposition notice retains the right to object to the notice on any appropriate ground other than improper service. If a party believes in good faith that it cannot accept service on behalf of

a witness residing outside the United States, or produce for deposition a witness residing outside the United States, without violating an applicable foreign law or regulation, it must promptly notify the other parties and meet and confer to attempt to reach a resolution of the issue.

- D. With respect to witnesses residing outside the United States that the parties agree can be produced for deposition in the Action without violating an applicable foreign law or regulation, such depositions shall be conducted under United States law. The deposition shall be taken in the city where that witness regularly conducts business, unless either (1) the witness has plans to travel to the United States on business, in which case the parties will use best efforts to schedule any such deposition to coincide with that witness's U.S. travel, or (2) the witness and the parties noticing the deposition agree on an alternative location. The parties also agree to use best efforts to schedule the depositions of witnesses residing outside the United States at times that minimize the number of trips that need to be taken abroad.

So ordered.
Jennie Cox
Oct. 20, 2014

Respectfully submitted,

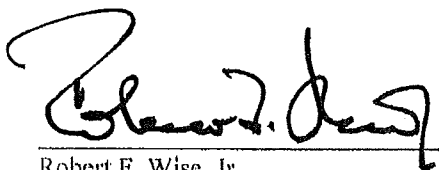


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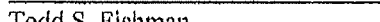
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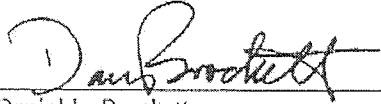
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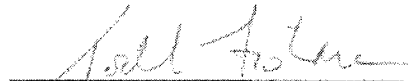
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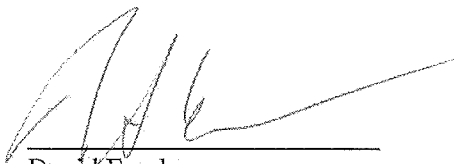
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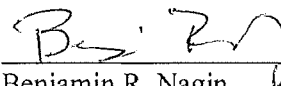
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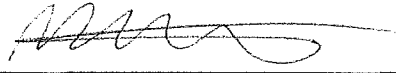
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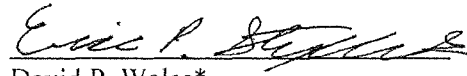
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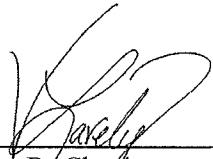
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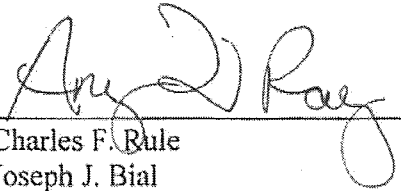
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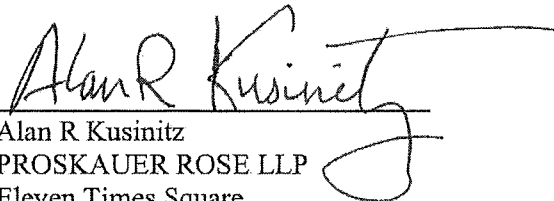
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IT IS SO ORDERED this ____ day of _____, 2014.
New York, New York

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